IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 8461 of 2003

Between:-

Kontham Krishna Murthy, S/o Rajaiah, 40 years, Occu:Agriculture,

LR/o Dharmasagar, Dharmasagar Mandal, Warangal District.

..... PETITIONER

AND

1. Principal Secretary, Government of Andhra Pradesh, Agriculture
   And Cooperation Department, Secretariat, Hyderabad.
2. The Commissioner for Cooperation and Registrar of Cooperative
   Societies, A.P. Gruhakalpa Buildings, M.J.Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus (1) declaring the action of first respondent in issuing G.O.Ms.No.172, Agril.& Coop. Dept., dated 24-7-2000 and the consequential G.O.Ms.No.05, dt. 5-1-2001, 2-4 dt. 24-7-2001, 36 dated 25-1-2002, 801 dated 27-7-2002, 45 dt. 19-2-2003 and 63 dt. 5-3-2003 and Memo No.19392/Coop.V (i)/2003 dt. 5-3-2002 directing second respondent to appoint Committees of Persons-in-charge to all the Primary Agricultural coop. Societies in place of elected Managing Committees and extending the term of the committees of persons in charge, for getting the policy decisions taken through the committees of persons-in-charge under the guise of reforms, as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and against Section 31 (ii) (b) of A.P.Co-op. Societies Act and against the very purpose and object of incorporation of the societies under A.P.Coop.Societies Act and consequently set aside the G.O.Ms.No.172, Agril. & Co.op. Dept dt. 24-7-2000 and the consequential G.Os.Ms.No.5 dt. 5-1-2001, 204 dt.24-7-2001, 36 dt.25-1-2002, 801 dt. 27-7-2002, 45 dt. 19-2-2003 and 63 dt. 5-3-2003 and Memo Nol.19392/Coop. V (i)/2003 dt 5-3-

2002 issued by first respondent; consequently (ii) direct second respondent to immediately hold elections to the Cooperative Societies in the State of A.P. whose term has expired, in compliance with Sec.31 (ii)(b) of A.P. Cooperative Societies Act.

Counsel for the Petitioner: MR.NANDIGAM KRISHANA RAO

Counsel for the Respondent No.: GP FOR COOPERATION

The Court made the following :

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WRIT PETITION NO. 8461 OF 2003.

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ORDER:-

In view of the fact that the question involved in this writ petition is squarely covered by the Judgment in Writ Petition No.12116 of 2004 and batch dated 8—11—2004, this writ petition is dismissed. No costs.

9—11—2004.

Stv/-

To

1.Principal Secretary, Government of Andhra Pradesh, Agriculture

And Cooperation Department, Secretariat, Hyderabad.

2.The Commissioner for Cooperation and Registrar of Cooperative

Societies, A.P. Gruhakalpa Buildings, M.J.Road, Hyderabad.

3. Two C.Cs. to G.P.for Cooperation, High Court Buildings, Hyd (OUT)

4. Two C.D. copies.